REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

The Examiner has not acknowledged the receipt of the certified copy of the priority document from the International Bureau. The Examiner is hereby requested to acknowledge the receipt of the priority document.

The drawings were objected to because the labels were not translated within the figures. Translated labels are shown on the drawing sheets enclosed herewith. Proposed changes, adding new labels in the empty boxes of Figs. 6, 9 and 14, are shown in red. Approval of the corrected drawings and proposed changes is hereby requested.

Claims 1 and 3 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,117,377 to Finman in view of U.S. Patent No. 6,066,177 to Hatsuda (hereinafter "Hatsuda"). Claims 5-8 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,784,285 to Tamaki et al. in view of Hatsuda. The rejection is now rendered moot in view of the following.

Enclosed herewith is a verified translation of Japanese Patent Application No. Hei. 11-200847, filed July 14, 1999, upon which priority is claimed by the present application. Since the July 14, 1999 priority date is prior to the issue date of Hatsuda, Hatsuda only qualifies as prior art under 35 U.S.C. 102(e), (f), or (g).

In accordance with 35 U.S.C. 103(c), Applicant hereby submits that the Hatsuda patent and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. Thus, Hatsuda does not qualify as prior art under 35 U.S.C. 103(a). Therefore, claims 1, 3 and 5-8 are patentable over the prior art

of record.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32809.

Respectfully submitted,

PEARNE & GORDON LLP

By:

Aaron A. Fishman, Reg. No. 44682

526 Superior Avenue, East Suite 1200 Cleveland, Ohio 44114-1484 (216) 579-1700

January 14, 2003



FIG. 1

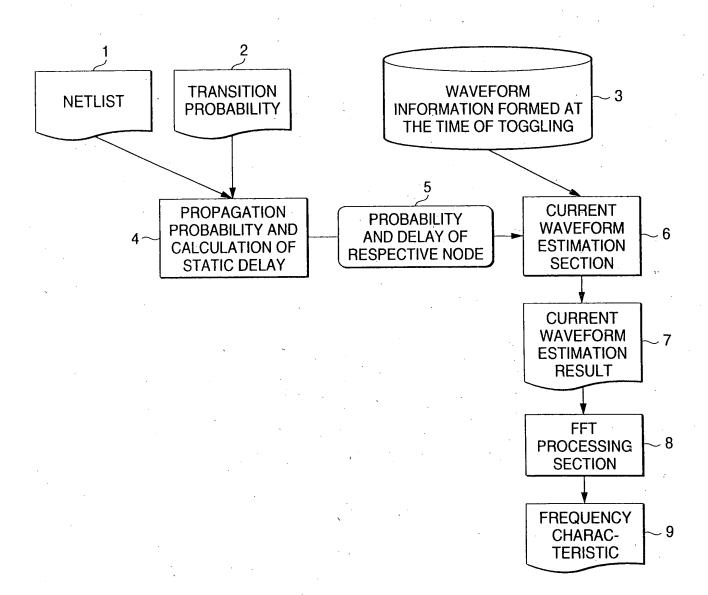




FIG. 2

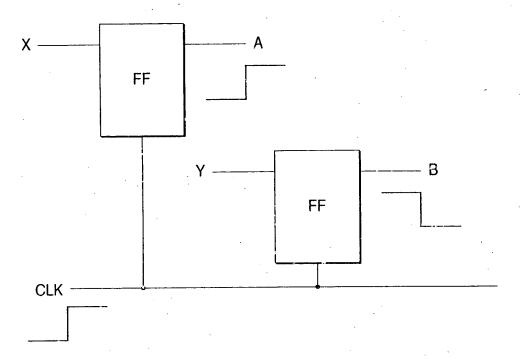




FIG. 3A

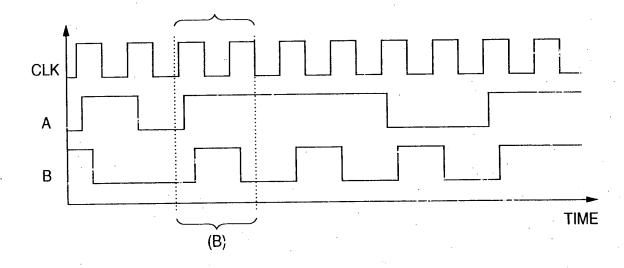


FIG. 3B

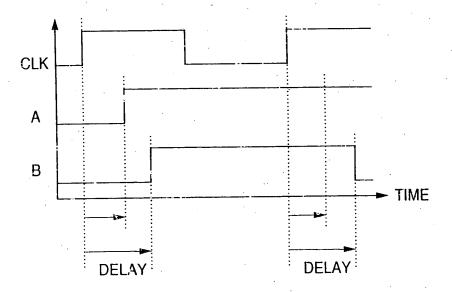




FIG. 4

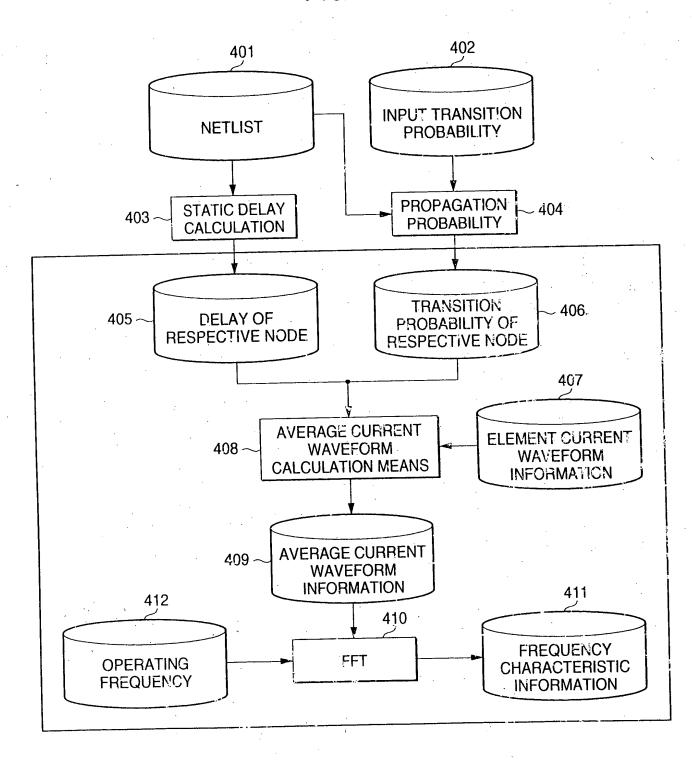
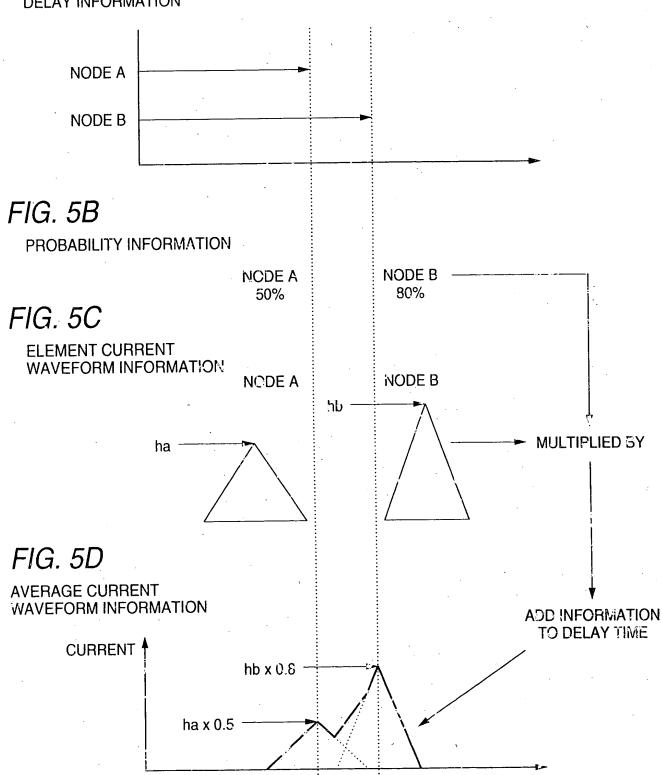




FIG. 5A

DELAY INFORMATION



TIME



FIG. 6

FLOWCHART OF AVERAGE CURRENT WAVEFORM CALCULATION PROCESSING

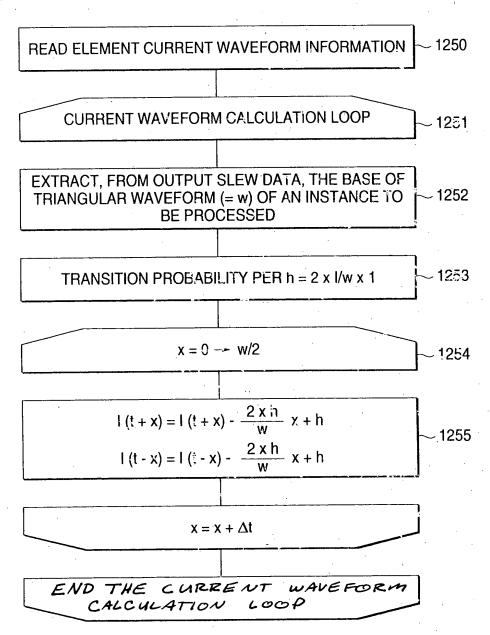




FIG. 7

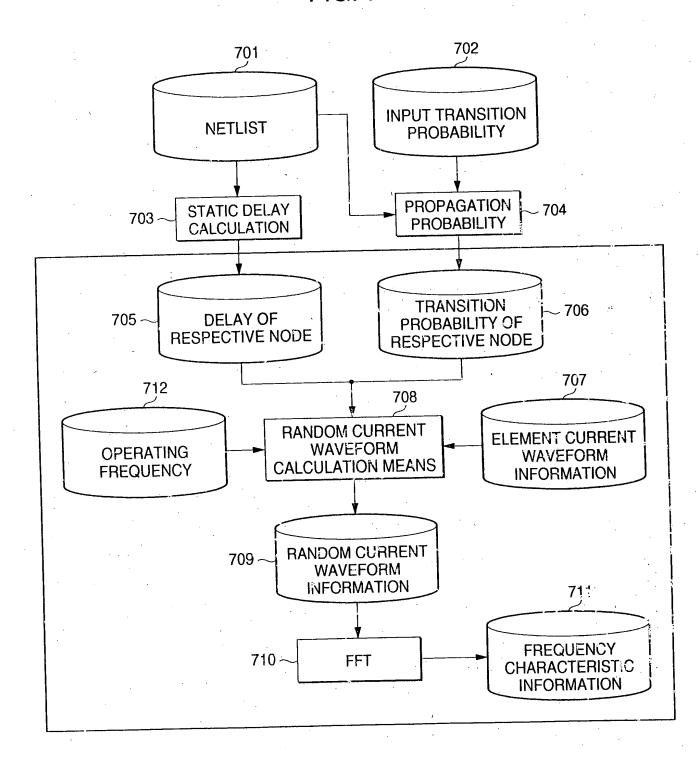




FIG. 8A

DELAY INFORMATION

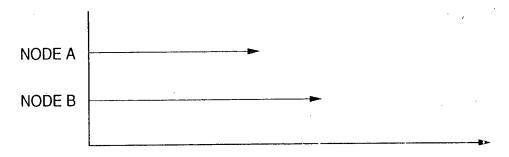


FIG. 8B

PROBABILITY INFORMATION

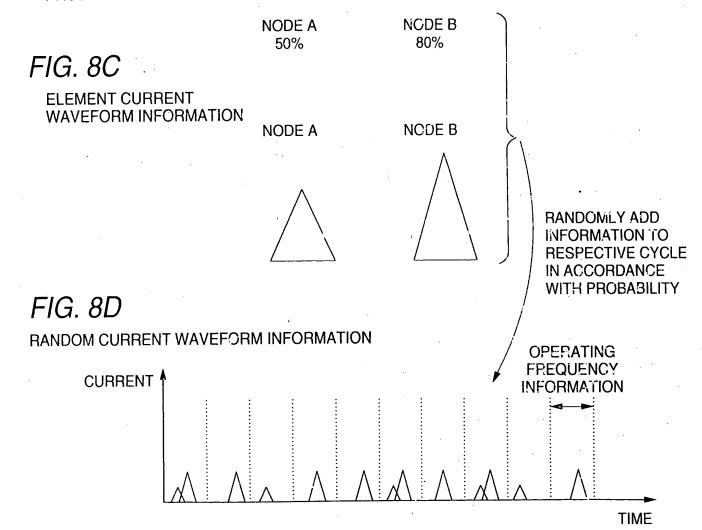




FIG. 9

FLOWCHART OF RANDOM CURRENT WAVEFORM CALCULATION PROCESSING

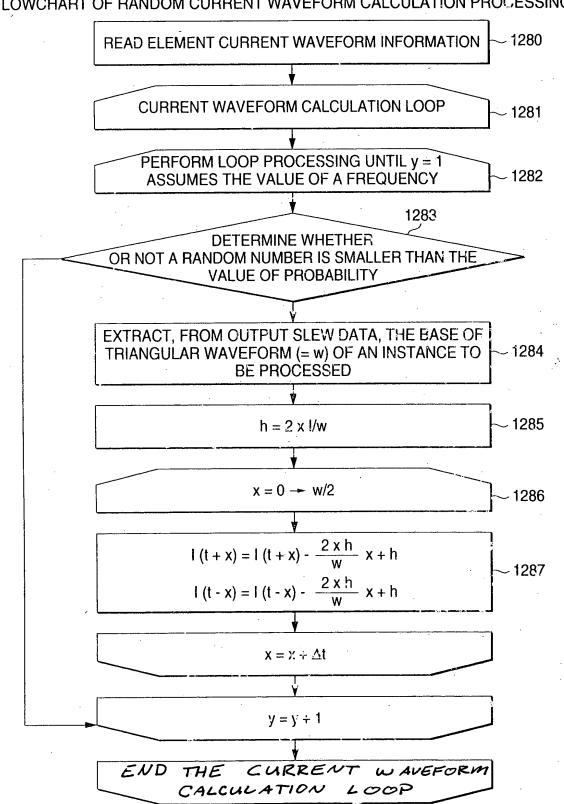
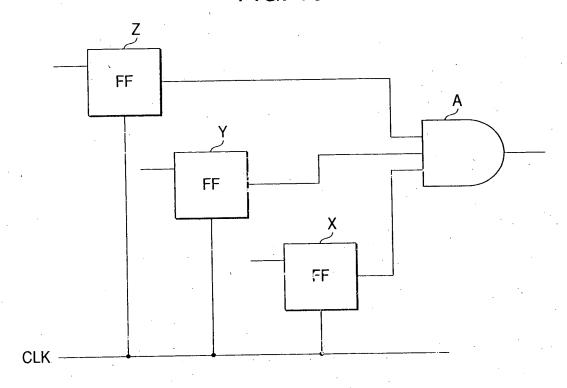




FIG. 10



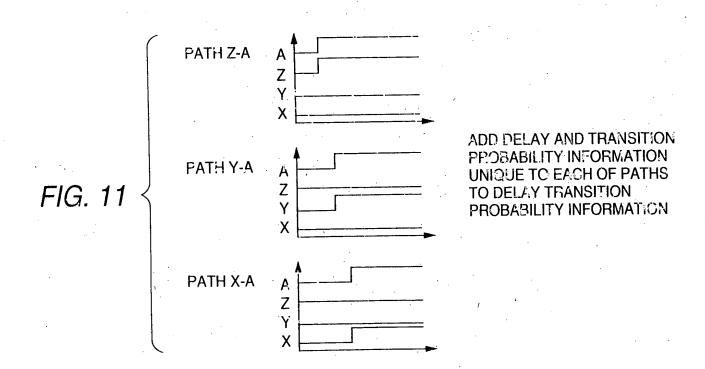




FIG. 12

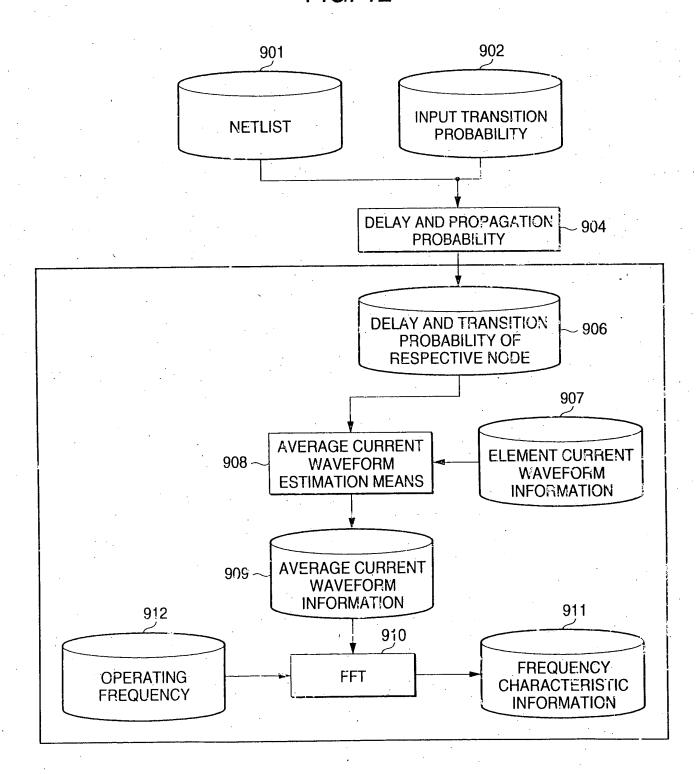




FIG. 13A

DELAY/TRANSITION PROBABILITY INFORMATION

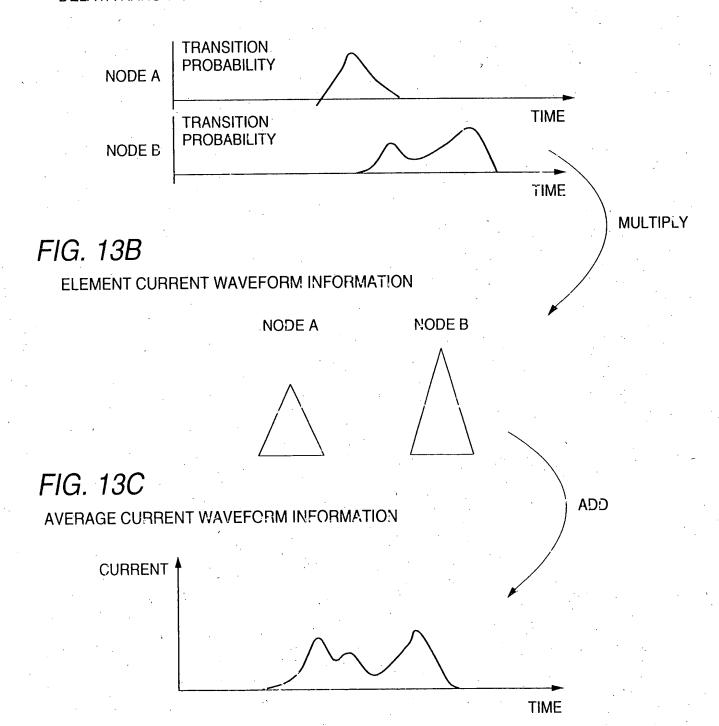




FIG. 14

FLOWCHART OF PROCESSING PERTAINING TO AVERAGE CURRENT WAVEFORM CALCULATION PROCESSING

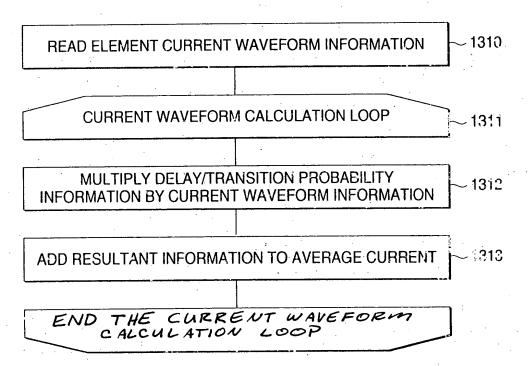




FIG. 15

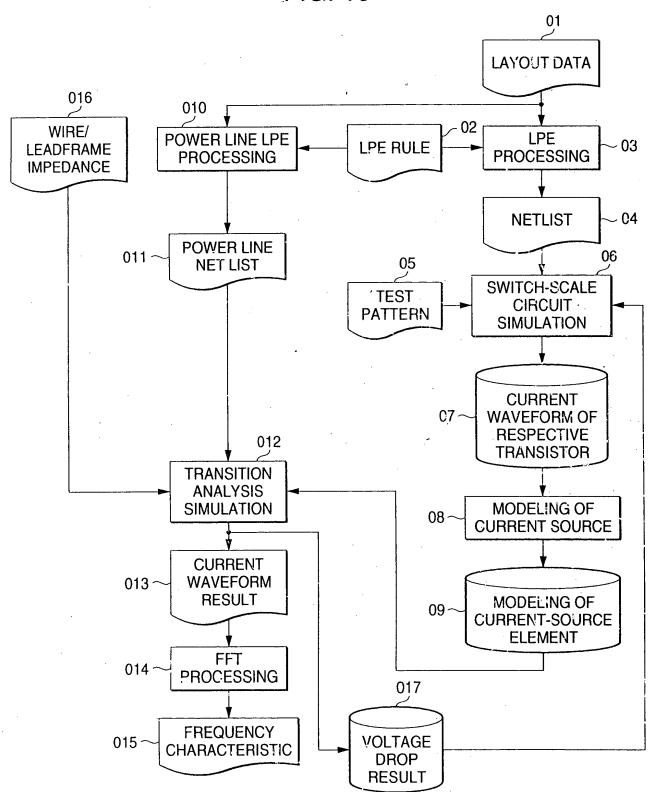




FIG. 16

